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Purpose

The Division II Athletics Directors Association (ADA) has created the Division II Model Athletics Department Document as a tool to outline the principles and features by which an ideal athletics department at the Division II level should be built. Section One of the document outlines guiding principles and strategic goals that might help to enhance operations for the athletics program. Section Two of the document is a sample Division II athletics program and focuses on outlining specific features that are seen in successful programs.

Some of the principles contained in this document may reflect an institution’s current state of operations; others may be unrealistic for some schools to achieve. The Division II ADA understands that Division II has a very diverse membership of varying sizes and institutional missions, and different institutions may be at different places in their efforts to reach the ideals outlined in this document. However, most of the guidelines outlined in the document represent attributes that are found in successful Division II athletics programs and reflect real goals that, if achieved, should enhance an institution’s operations.

Without exception, a Division II athletics program should be an extension of the educational mission of the institution and reflect the standards of higher education. Like many other Division II model documents, this model is meant to serve as a resource for Division II institutions in implementing the NCAA Division II Strategic Positioning Platform and Strategic Plan to their unique settings. However, the information contained in this document is provided as a reference and does not constitute binding advice on any member institution.

Background

In 2002, the Division II ADA identified a need to define a model athletics department at the Division II level. Led by past presidents Mac Cassell, Bill Fusco and Jon Carey, the ADA developed a document entitled “Guiding Principles for a Model Division II Athletics Program”, which had as its base 21 guiding principles to assist Division II administrators as they strategically planned for program enhancements. The document was endorsed by the NCAA Division II Management Council and Presidents Council, and over time was also used to evaluate new and reclassifying institutions. The Strategic Plan and the NCAA Division II Institutional Self-Study Guide (ISSG) served as resources for development of the original document and its subsequent updates.

After the Presidents Council adopted the Strategic Positioning Platform in 2006, which more clearly defines the unique philosophy and position of Division II within the overall National Collegiate Athletics Association, the Division II ADA was charged with modifying the original Guiding Principles for a Model Division II Athletics Program so that it more closely aligns with the Division II Strategic Positioning Platform and the key attributes of the Platform. The platform includes a Division II positioning statement that describes the student-athlete experience in Division II as “a comprehensive program of learning and development in a personal setting and includes academic achievement, high-level athletics and service to the community.” In addition,
the platform also describes the six Division II Attributes: Learning, Service, Passion, Sportsmanship, Resourcefulness and Balance.

The second version of the document, entitled “Models for Success for a Division II Athletics Program,” was adopted in 2008. Parts of the original document remained unchanged; however, the revised document more closely aligned with the Strategic Positioning Platform. The various roles and responsibilities for athletics department staff and the 21 guiding principles were linked in the revised document to the six NCAA Division II attributes at the forefront of the platform.

While the Models for Success for a Division II Athletics Program was originally created for use by active Division II institutions, the NCAA Division II Membership Committee has also used this document when reviewing applications from institutions in the Division II membership process. The Membership Committee uses other documents as well to guide institutions through the membership process, such as the minimum requirements to be considered for Division II membership; the ISSG (which was most recently revised in 2010); and the annual report (specific to the membership process).

Hearing from current Division II members that institutions in the membership process are being held to a higher standard than active Division II institutions and that more should be done to raise the standards of current active members, the Membership Committee recommended a review of the Model for Success for a Division II Athletics Program to align with other documents, such as those used by the Membership Committee for review of institutions in the membership process.

The Division II ADA believes it is the right time to look at all of these documents to ensure they align so that all Division II institutions are being held to the same standards. The Division II ADA initiated its review of the Models for Success for a Division II Athletics Program in the fall of 2012. This latest version, entitled “Division II Model Athletics Department Document,” was endorsed by the Division II ADA, Management Council and Presidents Council in the summer of 2013.
SECTION ONE

Guiding Principles

As stated before, this Model Athletics Department Document is meant to outline the guiding principles and strategic goals by which an ideal athletics department at the Division II level should be built. The document divides the guiding principles according to the five strategic goals for Division II. However, the order in which the guiding principles appear is not meant to prioritize one principle over the other.

Academics and Life Skills.

Provide Division II student-athletes a path to graduation while cultivating skills and knowledge for life ahead; learning in high-level athletics competition; and developing societal attitudes through service to community.

Academic Success. A model Division II athletics program shall be committed to the academic success of its student-athletes, measured in part by the total number of student-athletes who earn degrees within six years of initial collegiate enrollment and the fact that student-athletes graduate at least at the same rate as the institution’s student body. [For more information related to Division II Academic Success (including Academic Success Rates and Federal Graduation Rates) please click here. You may also log in to the membership side of the NCAA website and follow this path: Governance⇒Division II⇒Resources and Best Practices⇒Academics and Student-Athlete Well-Being.]

Life Skills. A model Division II athletics program shall be committed to the total development of a student-athlete’s life skills, as evidenced by implementing a Life Skills or similar program. Life skills programming should effectively engage the community in preparing student-athletes for successes both concurrent with their athletics careers and after their collegiate experiences. A model Division II athletics program will assist student-athletes in developing, identifying and applying transferable skills such as citizenship and leadership in their careers and in their community.

Health and Safety. A model Division II athletics program shall protect the health of and provide a safe environment for each of its student-athletes. Practices should adhere to federal, state, and local regulations; NCAA bylaws and sport playing rules; and the NCAA Sports Medicine Handbook. A model athletics program shall have a designated team physician(s) providing input for athletics healthcare policies and directing athletics trainers. Athletics healthcare providers (e.g. athletic trainers, team physicians) shall be empowered to have the unchallengeable authority to determine management and return-to-play of any ill or injured student-athletes. Health care providers for the student-athlete shall be appointed by and shall report to administrators independent from coaches (e.g., health center, campus hospital, student affairs). A model athletics program shall oversee the development and implementation of a policies and procedures document including, but not limited to healthcare providers’ job descriptions, emergency action plans, stu-
dent-athlete medical examinations and clearance to participate (sickle cell trait), and student-athlete medical care and return to play (concussion management). [The Sports Medicine Handbook can be found by clicking here. You may also log in to the membership side of the NCAA Web site and follow this path: Student-Athlete Programs⇒Health and Safety⇒NCAA Sports Medicine Handbook.] [For more information on student-athlete health and safety, click the Sport Science Institute link at www.ncaa.org (membership login not required).]

Student-Athlete Well-Being. A model Division II athletics program shall protect student-athlete well being. The athletics program shall ensure that adequate support services are available for its student-athletes. These support services could include, but should not be limited to, academic tutoring, counseling for academic and personal problems, counseling regarding gambling, wellness programs, and alcohol and drug awareness. A model Division II athletics program should regularly interact and work with other departments on campus (e.g., student affairs) to assist in ensuring student-athlete well-being and an adequate provision of support services. Finally, a model athletics program should have written policies and procedures to assess the well being of student-athletes.

Athletics Operations and Compliance.

Commit to institutional control by establishing a system for operations and compliance that is engaged and functioning.

Integration and Institutional Control. A model Division II athletics program is integral to the educational mission of the institution, is fully integrated as an athletics department in the institution’s budget and management operations, and is committed to the principle of institutional control. A model Division II athletics program should be an extension of the educational mission of the institution and higher education. A model athletics program is committed to ensuring that student-athletes learn in the classroom, on the field of play and through the overall experience of being a college student. Finally, a model program should have written statements of authority, organizational charts and standard operating procedures for hiring, budget, policies, and compliance.

Chancellor or President Oversight. In a model Division II athletics program, the institution’s chancellor or president shall have the ultimate responsibility and final authority for the conduct of the intercollegiate athletics program. The institution’s chancellor or president shall set forth a vision for the institution’s intercollegiate athletics program; ensure that adequate resources exist for the athletics department to carry out this vision; ensure athletics is an extension of the educational mission of the institution; ensure the activation of the Division II Strategic Positioning Platform at the institution and in the community; emphasize the importance of the institution’s compliance system and the roles of various departments (e.g., financial aid office, registrar) in this system; prioritize self-reporting of compliance violations; and emphasize commitment to diversity and inclusion, including compliance with Title IX.

Strategic Plan for Intercollegiate Athletics. A model Division II athletics program features a strategic vision for an integrated athletics model that specifies the goals and objectives for the
intercollegiate athletics experience and identifies how athletics enhances the mission of the campus. A model Division II athletics department shall engage in long range planning and develop a long-range strategic plan that supports initiatives consistent with the Division II Strategic Positioning Platform and Strategic Plan.

**Director of Athletics.** A model Division II athletics program shall feature a full-time administrator who takes responsibility for the academic and athletics success of the athletics department. As the manager for the department, the director of athletics shall implement the institution’s vision for intercollegiate athletics consistent with the institution’s educational mission and philosophy. The director of athletics is also responsible for creating an environment that prioritizes sportsmanship and civility, student-athlete well-being, and establishing departmental goals that are aligned with the Strategic Positioning Platform, including the role athletics can play in strengthening the bond between the institution and community. The director of athletics should serve as a primary athletics administrator and should not have other major responsibilities (e.g., should not also serve as a compliance officer; should not also serve as a coach). With the adoption of the Strategic Positioning Platform and implementation of the six key attributes, the importance of having sufficient athletics department staff to promote the platform through its new community-engagement initiative is further demonstrated. The director of athletics should be a leader in planning and implementing the strategic plan for intercollegiate athletics, which should be consistent with the strategic plans for the institution and Division II.

**Facult y Athletics Representative (FAR) Involvement.** A model Division II member institution shall include the active involvement of the FAR as the key institutional liaison to the athletics department. The FAR should be supported and funded by the institution to perform these functions. The FAR should have a well-defined and written position description to clarify roles and responsibilities. The involvement of the FAR should include a focus on student-athlete well-being, academic integrity, and institutional control. The FAR should also serve as a key contact for student-athletes, as well as being an independent source of counsel, assistance and information. See the Division II Model Faculty Athletics Representative Document for detailed information related to the role of the FAR, including the range of expected responsibilities of the FAR and the processes involved in performing the various aspects of the role. [Click here](#) to access the Model FAR Document. You may also log in to the membership side of the NCAA Website and follow this path: Governance⇒Division II⇒Resources and Best Practices⇒Model FAR.]

**Senior Woman Administrator (SWA) or Fifth Representative to the Governance Structure.** An institutional SWA is a designation given to the highest-ranking female involved with the management of an institution’s intercollegiate athletics program. An institution with a female director of athletics may designate a different female involved with the management of the institution’s program as a fifth representative to the NCAA governance system. The SWA is not the senior “women’s” administrator, nor is the role intended to be restricted to the individual supervising women’s sports. A model Division II athletics program shall include active involvement of the SWA or fifth representative to the governance structure in decision making regarding key issues; be involved in the general operations of the athletics department; and shall be a member of the director of athletics’ senior management team. The SWA or fifth representative
to the governance structure should be a senior level administrator and she should have the title of assistant or associate athletics director.

Coach’s Role. A model Division II athletics program shall feature an environment where head coaches understand their responsibility in establishing a culture of compliance with conference and NCAA rules within the program. A model athletics program features coaches who have a clear understanding of the institution’s emergency medical plans and are certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use. A model athletics program also features coaches who are committed and sensitive to the well-being of student-athletes.

Student-Athlete Advisory Committee (SAAC) Involvement. A model Division II athletics program shall feature an active institutional SAAC that represents the concerns and ideas of the institution’s student-athletes in all sports and is committed to the overall well-being of the student-athlete. The institution should designate an athletics department administrator to serve as a liaison to the SAAC and have at least one student-athlete representative on the conference SAAC. See the Division II SAAC Informational Guide and Planning Resource for detailed information on how to establish and support the work of an institutional SAAC. [Click here to access the SAAC Informational Guide and Planning Resource. You may also log in to the membership side of the NCAA website and follow this path: Governance⇒Division II⇒Resources and Best Practices⇒DII SAAC Informational Guide and Planning Resource.]

Athletic Trainers. A model Division II athletics program shall feature an adequate number of certified athletic trainers who are able to provide for the safety and well-being of the student-athletes across sports based on the National Athletics Trainers Association (NATA) guidelines and the Appropriate Medical Coverage of Intercollegiate Athletics (AMCIA) document.

Compliance. A model Division II athletics program shall feature a full-time compliance coordinator whose primary responsibilities are the oversight of the institution’s compliance system, the coordination of the institution’s rules education and the monitoring of rules compliance. The compliance officer should not be a coach and should not be the director of athletics. The compliance officer should also work in conjunction with other departments on campus and the institution’s Title IX officer to ensure compliance with Title IX, specifically in the areas of participation, scholarships, and treatment of existing athletes and programs. The athletics department should use an electronic or Web-based system for compliance monitoring. The department should also commit to a regular external assessment (e.g., compliance review by the NCAA, conference) to evaluate the strengths and weaknesses of the institution’s compliance systems.

Strategic Communications. A model Division II athletics program shall feature a person responsible for promoting the institution’s athletics department, and for building key relationships with the media and the community. The athletics program should include marketing strategies for the Division II Strategic Positioning Platform and the six key attributes of the platform. All institutional constituencies should share the task of implementing these strategies. See the Division II Model Strategic Communications Document for detailed information on how to develop strategic and purposeful communications, including best practices and suggestions to evaluate the ef-
fectiveness of the institution’s investments in communications and what opportunities exist for
the athletics department to deliver maximum returns for the institution’s mission. [The Model
Strategic Communications Document can be accessed by clicking here. You may also log in to
the membership side of the NCAA Web site and follow this path: Governance⇒Division
II⇒Hot Topics⇒Division II Model Strategic Communications Document.]

Campus Relations. A model Division II athletics program features a communication strategy to
keep other key departments and positions (student affairs, registrar, financial aid director, develop-
ment, communications) on campus up to date regarding athletics department issues. Through
communication and collaboration, a model athletics program will reach outward to communities,
as well as inward to other campus units.

Fundraising. A model Division II athletics program provides for an individual whose primary
assignment is athletics fundraising and development. If that individual is the director of athlet-
es, an additional assistant athletics director would be necessary for the day-to-day operations of
the department. If the function is handled outside the athletics department, the institution’s de-
development office should provide for an individual whose primary responsibility is athletics fund-
raising and development.

Continuing Education and Professional Development. A model Division II athletics program
shall be committed to sending its key personnel to educational events (e.g., NACWAA National
Convention, NCAA Regional Rules Seminars) and to the annual NCAA Convention to enhance
the success of the institution and to further the professional development of the coaches and ad-
ministrators in the athletics department. In addition, the athletics department should look for re-
regional and national workshops or seminars to send student-athletes to enhance their leadership
skills. Finally, the institution shall be committed to providing professional development opportu-
nities for the FAR (e.g., attendance at the Faculty Athletics Representative Association Annual
Meeting and Symposium, FAR Fellows Institute, NCAA Convention).

Assessment. A model Division II athletics program shall feature a tool that is used as a written
assessment each year to measure the student-athletes’ experience. In addition, the athletics de-
partment should feature annual written evaluations by managers (e.g., director of athletics, SWA)
regarding the performance of coaches and administrators.

Game Day and Conference and National Championships.

Provide fair and equitable competition and a quality, positive and rewarding game day and con-
ference and national championship experiences.

Community Engagement. A model Division II athletics program shall be committed to the Divi-
sion II Community Engagement Initiative for developing student-athletes and communities by
actively engaging shared experiences. The institution shall demonstrate with specific examples a
commitment to engaging the community by the institution and department of athletics, including
coaches and student-athletes. The institution shall have a procedure for documenting community
engagement activities.
**Game Environment.** A model Division II athletics program shall emphasize that a “family-friendly” environment should exist at all athletics department events and shall promote and support a positive game environment that will encourage all student-athletes, coaches and fans to respect each other, practice civility, encourage teamwork and understand citizenship responsibilities during the conduct of intercollegiate practice and competitions. An athletics department should develop a policy on sportsmanship and fan behavior for home events. The Student-Athlete Advisory Committee could provide leadership with the development of such a policy. The athletics department should also increase awareness and commitment to sportsmanship by engaging in the RESPECT campaign.

Facilities. A model Division II athletics program shall demonstrate that it has adequate facilities to operate a Division II intercollegiate athletics program. Such facilities should provide a safe environment for student-athletes to practice and compete. In addition, a model program shall comply with the minimum requirements to host an NCAA Regional Championship.

**Membership and Positioning Initiatives.**

*Utilize the uniqueness of the Division II model to establish Division II as a membership destination and to ensure long-lasting stability.*

Institutional Self-Study Guide. A model Division II athletics program shall conduct a comprehensive self-study and evaluation of its intercollegiate athletics program at least once every five years, using the ISSG. Note that the five-year cycle should be accelerated when there are personnel or administrative changes on campus.

Finances and Sports Sponsorship. A model Division II athletics program shall be administered with prudent management and fiscal practices to ensure financial stability. Sufficient operating and travel budgets should be maintained to allow for the effective operation of the athletics department. The current average for a Division II athletics department budget is posted online in the NCAA Division II Membership Report. A model Division II athletics program should also feature participation opportunities that are consistent with the institution’s mission and the interests of the institution’s student-athletes. The minimum sports-sponsorship and financial aid requirements are legislated in the NCAA Division II Manual. The athletics department shall ensure a commitment to Title IX through participation opportunities aligning with the institution’s undergraduate enrollment. A model program shall also ensure a financial commitment to achieving gender equity.

**Life in the Balance.** A model Division II athletics program shall provide growth opportunities through academic achievement, learning in high-level athletic competition and development of positive societal attitudes in service to community. The balance and integration of these different areas of learning opportunity provide Division II student-athletes a path to graduation while cultivating a variety of skills and knowledge for life ahead.

Conference Membership. A model Division II athletics program shall strive to be a full active member of a Division II conference and work with the conference office and other members of the conference to run successful athletics programs in the conference, region and division. Con-
Conference membership increases the likelihood of operating a successful, competitive program in Division II. In addition, conference membership could increase championships participation opportunities for student-athletes. See the Division II Model Conference Office Document for detailed information on the various roles and responsibilities for commissioners and conference office staff, as well as guiding principles for a model conference office. [Click here to access the Division II Model Conference Office Document. You may also log in to the membership side of the NCAA Web site and follow this path: Governance⇒Division II⇒Resources and Best Practices⇒Model Conference Office.]

**Diversity and Inclusion.**

_Promote diversity and foster an environment of inclusion._

**Diversity.** A model Division II athletics program shall be committed to the principle of diversity. A model program shall promote an atmosphere of respect for and sensitivity to the dignity of every person in all areas of potential discrimination (e.g., race, gender, ethnicity, religious affiliation, national origin, sexual orientation, transgender student-athletes, disabilities, international student-athletes). A model Division II athletics program shall have a diversity plan for athletics.

**Inclusion.** A model Division II athletics program shall be committed to the principle of inclusion. A model program shall value the opinions of all, initiate a leadership role on campus in this area and, through diverse hiring pools, strive for diversity in the institution’s administrative and coaching positions. The athletics department shall focus on the needs of every individual and ensure that the right conditions are in place for each person to achieve his or her full potential. A model Division II athletics program shall have an inclusion plan for athletics.

**Gender Equity.** In a model Division II athletics program, both the men’s and women’s sports programs would accept as fair and equitable the overall program of the other gender. A model Division II athletics program shall have a gender-equity plan for athletics.

**Title IX.** No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. A model Division II institution shall have a Title IX committee and a Title IX officer to ensure compliance with Title IX.
SECTION TWO

Sample Division II Athletics Program

Based on the guiding principles identified in Section One, the Division II ADA has developed the following Sample Division II Athletics Program. This sample athletics program outlines specific features (staffing, technology, office locations, salaries and benefits) that may assist in building an ideal Division II athletics department.

Please note that the Division II ADA understands that while some of the features in this sample may already exist at your institution, others may be unrealistic to achieve. However, these features are offered to assist in the evaluation of your current program operations and to encourage discussion of possible ways to improve your institution’s athletics program.

Staff

The Division II ADA recommends that a model athletics department should consist of no less than four full-time staff members. In addition to a full-time director of athletics, each office should have three full-time employees (who may have the title of assistant/associate athletics director, compliance coordinator, administrative assistant, or other title as appropriate). At least one of the administrators should be a female. Head and assistant coaches, in some sports, should also assume some administrative responsibilities.

Using job descriptions of different staff members within several athletics departments, the Division II ADA created the following list as examples of duties and responsibilities that might be assigned to the different staff members in the department.

Director of Athletics

The Director of Athletics at the institution should report directly to the chancellor or president (or have access to the chancellor or president if reporting directly to a vice-president). The director of athletics should be responsible for the day-to-day operations of the department and the supervision of the athletics department staff. In addition, the director of athletics could have the following duties/responsibilities:

• Establish and coordinate departmental goals that are aligned with the Division II Strategic Positioning Platform and Strategic Plan, including the role athletics can play in strengthening the bond between the institution and community.

• Be accountable for the compliance and fiscal stability of the athletics department.

• Be the champion and primary caretaker for the institution’s athletics department’s strategic plan and compliance with Title IX.
• Promote effective communication among the institution’s chancellor or president, staff, faculty, student-athletes, media and the public.

• Take an active role in conference and national affairs.

• Maintain communications with outside organizations that are vital to the athletics department’s operations, such as the NCAA, National Association of Collegiate Directors of Athletics (NACDA), National Association of Collegiate Woman Athletics Administrators (NACWAA), College Sports Information Directors of America (CoSIDA), etc.

• Provide professional growth opportunities for athletics department staff.

• Coordinate fundraising and development activities for the department or communicate with other units on campus that have this responsibility.

**Athletics Administrator**

One of the athletics administrator positions should be designated as the senior woman administrator, the highest-ranking female involved with the management of the institution’s intercollegiate athletics program. If the director of athletics is a female, she may designate a different female involved with the management of the institution’s program as the SWA or fifth representative to the NCAA governance system.

Administrator functions could be assigned to any of the following titles, depending on the size of the department:

• Associate/Assistant Athletics Director.

• Director of Marketing/Promotions

• Sports Information/Media Relations Director.

• Director of Athletics Communications.

• Athletics Development Director.

• Compliance Coordinator.

• Facilities/Operations Manager.

• Athletic Trainer.

• Business Manager.

• Equipment Manager.
In addition, administrator duties/responsibilities could include:

- Assist with institutional marketing, fundraising and development activities.
- Assist with athletics department goals in strengthening the bond between the institution and community.
- Enhance athletics department community relations by marketing, promoting and communicating community engagement activities and positive game environment initiatives.
- Manage the athletics department’s compliance and monitor compliance issues, including educating staff regarding NCAA rules and regulations, administering secondary rules violations and institutional rules violation investigations.
- Monitor the commitment to diversity of the athletics department staff and student-athletes.
- Coordinate and produce news releases and printed promotional material.
- Coordinate all athletics department awards.
- Serve as the department’s primary media liaison.
- Manage the athletics department’s Web page.
- Organize professional development opportunities for key department personnel.
- Coordinate the meetings, activities and professional development activities for the Student-Athlete Advisory Committee.
- Apply for and monitor awards, scholarships and grants made available through the conference and from the NCAA.
- Help coordinate the institution’s student-athlete support services (e.g., Life Skills).
- Assist with sport event administration.
- Supervise coaches and other athletics department personnel, as assigned.
- Assist in the athletics department budgetary process.
- Coordinate athletics department statistics services.
Administrative Assistant

Administrative assistant’s (clerical) duties/responsibilities could include:

• Manage the athletics department office.
• Maintain files required by the NCAA and conference office.
• Coordinate clerical work for the full-time staff.
• Other specific duties as assigned by the director of athletics.

Technology

Athletics department technology and communication capabilities should be consistent with those that exist in other departments on campus.

Appropriate staff members of the athletics department might be provided with the following capabilities, depending on specific duties and responsibilities.

• Hardware and software that permit the electronic transfer of statistics.
• Telephone system that includes voice mail.
• Athletics department Web page.
• Compliance Assistant Software or Web technology for compliance monitoring.
• Videoconferencing capabilities.
• Laptop computers with Internet access.
• E-mail accounts.
• Cell phones.

Office Locations

Each athletics department should have sufficient office space so that athletics department personnel (coaches and administrators) are located in one building.
Salaries and Benefits

Salary and benefits for the director of athletics should be comparable to other similar administrators on campus. [The Division II ADA has collected data on salaries for various administrative positions. The most recent data is available online. The salary ranges may reflect differences in the cost of living in various regions of the country, private vs. public institutions, local collective bargaining agreements and market forces. Coaches’ salaries will vary by sport, and by full-time status and responsibilities.]

All full-time employees of the athletics department should have benefits comparable to other full-time employees on campus.

Note that all salary and benefit decisions for coach and administrative positions are subject to regulations set forth in the Fair Labor Standards Act.